

Appl. No. 10/812,627
Reply dated June 8, 2006
Reply to Office Action mailed February 22, 2006

REMARKS

The present application and its claims are directed to a shoe having an upper made of a waterproof breathable laminate.

Applicant has amended Figures 1 and 2 with the legend "Prior Art" as requested by the examiner.

PRIOR ART REJECTIONS

In response to the Examiner's rejection of claims 1-3, 7 and 11-12 under 35 U.S.C. 102 as being anticipated by US Patent Publication No. 2003/0041474 to Keidel, claims 4-6 as being unpatentable over Keidel in view of US Patent No. 5,285,546 to Haimerl, claims 4-5 and 8 as being unpatentable over Keidel in view of US Patent No. 4,122,574 to Karalis and claim 13 as being unpatentable over Keidel in view of US Patent No. 6,604,302 to Moretti, applicant respectfully traverses the rejections. In particular, the examiner indicated that claims 9-10 were allowable over the prior art and the independent claims now contain those elements and are therefore allowable.

CONCLUSION

In view of the above, it is respectfully submitted that claims 2-13 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

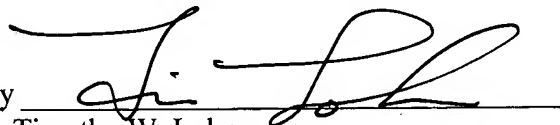
The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

Dated: 6-9-06

By



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